

# Senate File 388 - Introduced

SENATE FILE \_\_\_\_\_  
BY McCOY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act increasing penalties for a person whose driver's license  
2 or operating privilege has been denied, canceled, suspended,  
3 or revoked who drives a motor vehicle while the license or  
4 privilege is denied, canceled, suspended, or revoked.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 1621SS 82  
7 rh/gg/14

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1 1 Section 1. Section 321.218, subsection 1, Code 2007, is  
1 2 amended to read as follows:  
1 3 1. A person whose driver's license or operating privilege  
1 4 has been denied, canceled, suspended, or revoked as provided  
1 5 in this chapter or as provided in section 252J.8 or section  
1 6 901.5, subsection 10, and who operates a motor vehicle upon  
1 7 the highways of this state while the license or privilege is  
1 8 denied, canceled, suspended, or revoked, commits ~~a simple an~~  
1 9 aggravated misdemeanor. In addition to any other penalties,  
1 10 the punishment imposed for a violation of this subsection  
1 11 shall include assessment of a fine of not less than two  
1 12 hundred fifty dollars nor more than one thousand five hundred  
1 13 dollars.

1 14 Sec. 2. Section 321J.21, subsection 1, Code 2007, is  
1 15 amended to read as follows:  
1 16 1. A person whose driver's license or nonresident  
1 17 operating privilege has been suspended, denied, revoked, or  
1 18 barred due to a violation of this chapter and who drives a  
1 19 motor vehicle while the license or privilege is suspended,  
1 20 denied, revoked, or barred commits a ~~serious misdemeanor class~~  
1 21 "D" felony. In addition to any other penalties, the  
1 22 punishment imposed for a violation of this subsection shall  
1 23 include assessment of a fine of one thousand dollars.

1 24 EXPLANATION

1 25 This bill relates to increased penalties for a person whose  
1 26 driver's license or operating privilege has been denied,  
1 27 canceled, suspended, or revoked who drives a motor vehicle  
1 28 while the license or privilege is denied, canceled, suspended,  
1 29 or revoked.

1 30 The bill provides that a person whose driver's license or  
1 31 operating privilege has been denied, canceled, suspended, or  
1 32 revoked pursuant to Code chapter 321 and who operates a motor  
1 33 vehicle while the license or privilege is denied, canceled,  
1 34 suspended, or revoked, commits an aggravated misdemeanor,  
1 35 punishable by confinement for no more than two years and a  
2 1 fine of at least \$625 but not more than \$6,250. Current law  
2 2 provides that such an offense is a simple misdemeanor,  
2 3 punishable by confinement for no more than 30 days or a fine  
2 4 of at least \$65 but not more than \$625 or by both. An  
2 5 additional assessment of a fine of not less than \$250 nor more  
2 6 than \$1,500 is also applicable.

2 7 The bill further provides that a person whose driver's  
2 8 license or nonresident operating privilege has been suspended,  
2 9 denied, revoked, or barred due to a violation of Iowa's  
2 10 operating-while-intoxicated law and who drives a motor vehicle  
2 11 while the license or privilege is suspended, denied, revoked,  
2 12 or barred commits a class "D" felony. Current law provides  
2 13 that such an offense is a serious misdemeanor, punishable by  
2 14 confinement for no more than one year and a fine of at least  
2 15 \$315 but not more than \$1,875. An additional assessment of a  
2 16 fine of \$1,000 is also applicable.

2 17 LSB 1621SS 82

2 18 rh:nh/gg/14

